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EXAMINER

PILLAI, NAMITHA

ART UNIT PAPER NUMBER

2173

DATE MAILED: 12/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/057,433	TODD ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Namitha Pillai	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) on 9/26/05. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith. All pending claims have been rejected as being obvious over the prior art disclosed, wherein the arguments refer to a re-rendering process which is an obvious and well known process that has been addressed in the following rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 28, 30-33 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6, 393, 443 B1 (Rubin et al.), herein referred to as Rubin and "Class Display" (Leemon Baird).

Referring to claim 28, Rubin discloses a method for capturing data displayed near a cursor location controlled with a pointing device in an electronic display (Figure 3). Rubin discloses hooking into an operating system output module that renders data to the electronic display (Figure 1). Rubin discloses invalidating an update region of the electronic display, wherein the update region is defined as a function of the cursor

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location in the electronic display, forcing the operating system output module to re-render the data to the update region of the electronic display and copying the data from the operating system output module while the operating system output module is re-rendering the data to the update region of the electronic display (column 4, lines 30-40). Rubin does disclose the process of rendering data, but may not explicitly teach the re-rendering of the same data, wherein this step of re-rendering to include the display of the new cursor location is in fact a well known repaint process that is common in windows system to update the display to include the cursor location, with the cursor location and the data being re-rendered. "Class Display" teaches an display system where an output means allow for re-rendering of data to the update of the region, wherein the the data already displayed is re-rendered or refreshed as per common operating systems processes for the displaying of information (page 5, lines 18-22). It would have been obvious to one skilled in the art at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display. "Class Display" and the re-render features refer to an refresh or repaint feature that is well known in displaying data by operating systems. The re-rendering of the same data is done, wherein the data displayed is refreshed and re-rendered to the display. This feature is merely referring to a repaint feature used in re-rendering the same data. Hence, it would have been obvious to one skilled in the art, at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display.

Referring to claims 30 and 35, Rubin discloses invoking a redraw application programming interface that instructs the operating system to issue a paint message to a procedure for redrawing the electronic display, the paint message causing the procedure to execute the operating system output module to redraw the update region of the electronic display window (Figure 3).

Referring to claims 31 and 36, Rubin discloses mapping font glyphs to text if the data comprises font glyphs, mapping text coordinates to screen coordinates if the operating system output module provides the data to a window device context and saving the data if the operating system output module provides the data to a memory device context (Figure 3).

Referring to claim 32, Rubin discloses a machine-readable medium having machine instructions for carrying out the steps of Claim 28 (Figure 1).

Referring to claim 33, Rubin discloses a system for capturing data displayed near a cursor location in an electronic display (Figure 3). Rubin discloses a processor, a display in communication with the processor, the display displaying a cursor at a location in the display (column 5, lines 55-60 and Figure 2A). Rubin discloses a memory in communication with the processor and storing machine instructions that cause the processor to hook into an operating system output module that renders data to the electronic display (column 1, lines 36-40). Rubin discloses invalidating an update region of the electronic display, wherein the update region is defined as a function of the cursor location in the electronic display, force the operating system output module to re-render the data to the update region of the electronic display and copy the data from the

operating system output module while the operating system output module is re-rendering the data to the update region of the electronic display (column 4, lines 30-40). Rubin does disclose the process of rendering data, but may not explicitly teach the re-rendering of the same data, wherein this step of re-rendering to include the display of the new cursor location is in fact a well known repaint process that is common in windows system to update the display to include the cursor location, with the cursor location and the data being re-rendered. "Class Display" teaches an display system where an output means allow for re-rendering of data to the update of the region, wherein the the data already displayed is re-rendered or refreshed as per common operating systems processes for the displaying of information (page 5, lines 18-22). It would have been obvious to one skilled in the art at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display. "Class Display" and the re-render features refer to an refresh or repaint feature that is well known in displaying data by operating systems. The re-rendering of the same data is done, wherein the data displayed is refreshed and re-rendered to the display. This feature is merely referring to a repaint feature used in re-rendering the same data. Hence, it would have been obvious to one skilled in the art, at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display.

Referring to claims 30 and 35, Rubin discloses invoking a redraw application programming interface that instructs the operating system to issue a paint message to a procedure for redrawing the electronic display, the paint message causing the

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procedure to execute the operating system output module to redraw the update region of the electronic display window (Figure 3). Rubin does disclose the process of rendering data, but may not explicitly teach the re-rendering of the same data, wherein this step of re-rendering to include the display of the new cursor location is in fact a well known repaint process that is common in windows system to update the display to include the cursor location, with the cursor location and the data being re-rendered.

"Class Display" teaches an display system where an output means allow for re-rendering of data to the update of the region, wherein the the data already displayed is re-rendered or refreshed as per common operating systems processes for the displaying of information (page 5, lines 18-22). It would have been obvious to one skilled in the art at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display. "Class Display" and the re-render features refer to an refresh or repaint feature that is well known in displaying data by operating systems. The re-rendering of the same data is done, wherein the data displayed is refreshed and re-rendered to the display. This feature is merely referring to a repaint feature used in re-rendering the same data. Hence, it would have been obvious to one skilled in the art, at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display.

3. Claims 29 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin, "Class Display" and "The Portable Executable File Format" (Johannes Plachy).

Referring to claims 29 and 34, Rubin and "Class Display" do not disclose patching an .idata section associated with a target process that controls the electronic display. "The Portable Executable File Format" discloses that an application for an operating systems based on Windows formatting relies on .idata section and used for data segments in DOS systems (page 13, lines 13-18). It would have been obvious for one skilled in the art, at the time of the invention to learn from "The Portable Executable File Format" to disclose patching an .idata section associated with a target process that controls the electronic display. Rubin clearly discloses the use of target processes for controlling display of data and wherein a processor is used for carrying out the instructions, wherein this processor would be based on DOS systems. Therefore, Rubin would include DOS predefined data that has been well established with DOS systems, including such header information for data segments as .idata sections. Hence, it would have been obvious for one skilled in the art, at the time of the invention to learn from "The Portable Executable File Format" to disclose patching an .idata section associated with a target process that controls the electronic display.

4. Claims 1, 3-15 and 17-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin and U. S. Patent No. 5, 651, 107 (Frank et al.), herein referred to as Frank and further view of "Class Display".

Referring to claim 1, Rubin discloses a method for automatically delivering electronic content related to text appearing in a display (Figure 2A). Rubin discloses detecting a cursor location within a target window in which the text is displayed, causing a target process associated with the target window to re-render the text to the target



window in an update region that includes the cursor location (Figure 3), determining a primary word that occurs at the cursor location from the re-rendered text, searching a first electronic data store for content related to the primary word and displaying a result of the search (column 1, lines 39-50). Rubin does not disclose displaying the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Frank discloses teaching displaying data in semitransparent windows, wherein these windows are persistently visible to the user and enables content displayed underlying the result to be visible (Figure 8). It would have been obvious for one skilled in the art, at the time of the invention to display the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Frank discloses wherein the purpose of the invention is to teach displaying transparent windows thereby allowing for more information to be displayed. Frank has clearly taught the use of transparent windows when needed to display the underlying data of a window, wherein it would have been obvious for Rubin to learn from the well-known teachings shown in Frank to display the search results of Rubin in a semitransparent window. It would have been obvious for one skilled in the art at the time of the invention to display the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Rubin does disclose the process of rendering data, but may not explicitly teach the re-rendering of the same data, wherein this step of re-rendering to include the display of the new cursor location is in fact a well known repaint process that is common in windows system to update the display to include the cursor

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location, with the cursor location and the data being re-rendered. "Class Display" teaches an display system where an output means allow for re-rendering of data to the update of the region, wherein the the data already displayed is re-rendered or refreshed as per common operating systems processes for the displaying of information (page 5, lines 18-22). It would have been obvious to one skilled in the art at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display. "Class Display" and the re-render features refer to an refresh or repaint feature that is well known in displaying data by operating systems. The re-rendering of the same data is done, wherein the data displayed is refreshed and re-rendered to the display. This feature is merely referring to a repaint feature used in re-rendering the same data. Hence, it would have been obvious to one skilled in the art, at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display.

Referring to claims 3 and 17, Rubin discloses inserting machine instructions into a memory space of the target process, executing the machine instructions, hooking a text-out module, invalidating the update region, wherein the update region is defined as a function of the cursor location; executing the text-out module to re-render the text to the update region and copying the text from the text-out module while the text-out module is re-rendering the text to the update region (column 4, lines 30-40). Rubin does disclose the process of rendering data, but may not explicitly teach the re-rendering of the same data, wherein this step of re-rendering to include the display of the new cursor location is in fact a well known repaint process that is common in

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windows system to update the display to include the cursor location, with the cursor location and the data being re-rendered. "Class Display" teaches an display system where an output means allow for re-rendering of data to the update of the region, wherein the the data already displayed is re-rendered or refreshed as per common operating systems processes for the displaying of information (page 5, lines 18-22). It would have been obvious to one skilled in the art at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display. "Class Display" and the re-render features refer to an refresh or repaint feature that is well known in displaying data by operating systems. The re-rendering of the same data is done, wherein the data displayed is refreshed and re-rendered to the display. This feature is merely referring to a repaint feature used in re-rendering the same data. Hence, it would have been obvious to one skilled in the art, at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display.

Referring to claims 4 and 18, Rubin discloses determining a character that is closest to the cursor location, from the re-rendered text, detecting a first termination point that occurs before the character, wherein the first termination point indicates the beginning of the primary word, detecting a second termination point that occurs after the character, wherein the second termination point indicates the end of the primary word and identifying the primary word as a set of characters between the first termination point and the second termination point (Figure 3).

Referring to claims 5 and 19, Rubin discloses searching a local electronic data store for content related to the primary word and searching a remote electronic data store for content related to the primary word (column 6, lines 56-64).

Referring to claims 6 and 20, Rubin and Frank disclose automatically providing the semitransparent window at a defined location in the display, the semitransparent window being sized to overlay only a portion of the display, displaying at least a portion of the result of the search in the semitransparent window and enabling a user to obtain additional content related to the primary word by selecting an option in the semitransparent window (Frank, Figure 8).

Referring to claims 7 and 21, Rubin discloses determining context word associated with the primary word (Figure 3).

Referring to claims 8 and 22, Rubin discloses determining the context word from the re-rendered text and determining the context word from a characteristic of text being processed by the target process (Figure 3).

Referring to claims 9 and 23, Rubin discloses searching the first electronic data store based on a combination of the primary word and the context word and if no content was found based on the combination of the primary word and the context word and searching the first electronic data store based on the primary word (Figures 2A and 2B).

Referring to claims 10 and 24, Rubin discloses displaying an alternate word that is spelled similar to the primary word in the result if no content was found based on the primary word (Figure 2C).

Referring to claims 11 and 25, Rubin discloses searching an additional electronic data store for additional content related to the primary word and enabling a user to selectively view the additional content in the result (Figures 2A and 2B).

Referring to claims 12 and 26, Rubin discloses enabling a user to selectively indicate that an additional electronic data store is to be searched prior to the first electronic data store, thereby indicating a priority of information desired by the user, searching the additional electronic data store for additional content related to the primary word prior to searching the first electronic data store and if additional content is found, displaying at least a portion of the additional content of the search of the additional electronic data store in the semitransparent window prior to displaying the result of the search of the first electronic data store (Figures 2A and 2B).

Referring to claims 13 and 27, Rubin and Frank disclose maintaining a focus on an active window so that the user need not return the focus from the semitransparent window, to the active window after a result is displayed (Frank, Figure 8).

Referring to claim 14, Rubin discloses a machine-readable medium having machine instructions for performing the steps of Claim 1 (Figure 1).

Referring to claim 15, Rubin discloses a system for automatically delivering electronic content related to text appearing in a display (Figure 2A). Rubin discloses a processor, a display in communication with the processor, display displaying a cursor location and a target window that includes text (column 5, lines 55-60 and Figure 2A). Rubin discloses a pointing device adapted to be controlled by a user and coupled in communication with the processor, the pointing device producing a signal indicating the

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cursor location on the display (column 1, lines 36-40). Rubin discloses a user input device having at least one key, the user input device being coupled in communication with the processor and a memory in communication with the processor and storing machine instructions (Figure 2A and column 5, lines 55-60). Rubin discloses detect the cursor location indicated by the signal produced by the pointing device on the display device, cause a target process associated with the target window to re-render the text to the target window in an update region of the display that includes the cursor location disposed proximate to the text being re-rendered (Figure 3). Rubin discloses to determine from the re-rendered text a primary word that is disposed proximate to the cursor location, search a first electronic data store for content related to the primary word and display a result of the search (Figures 2A and 2B). Rubin does not disclose displaying the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Frank discloses teaching displaying data in semitransparent windows, wherein these windows are persistently visible to the user and enables content displayed underlying the result to be visible (Figure 8). It would have been obvious for one skilled in the art, at the time of the invention to display the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Frank discloses wherein the purpose of the invention is to teach displaying transparent windows thereby allowing for more information to be displayed. Frank has clearly taught the use of transparent windows when needed to display the underlying data of a window, wherein it would have been obvious for Rubin to learn from the well-known teachings shown in

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Frank to display the search results of Rubin in a semitransparent window. It would have been obvious for one skilled in the art at the time of the invention to display the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Rubin does disclose the process of rendering data, but may not explicitly teach the re-rendering of the same data, wherein this step of re-rendering to include the display of the new cursor location is in fact a well known repaint process that is common in windows system to update the display to include the cursor location, with the cursor location and the data being re-rendered. "Class Display" teaches an display system where an output means allow for re-rendering of data to the update of the region, wherein the the data already displayed is re-rendered or refreshed as per common operating systems processes for the displaying of information (page 5, lines 18-22). It would have been obvious to one skilled in the art at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display. "Class Display" and the re-render features refer to an refresh or repaint feature that is well known in displaying data by operating systems. The re-rendering of the same data is done, wherein the data displayed is refreshed and re-rendered to the display. This feature is merely referring to a repaint feature used in re-rendering the same data. Hence, it would have been obvious to one skilled in the art, at the time of the invention to learn from "Class Display" to re-render the same data to update the region of the display.

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5. Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin, Frank, "Class Display" and further in view of Microsoft Computer Dictionary, Fifth Edition.

Referring to claims 2 and 16, Rubin discloses receiving only a single cursor move message from a pointing device that controls the cursor location within a predetermined hover time, indicating that the cursor has remained stationary for at least the predetermined hover time, the cursor move message including a coordinate identifying the cursor location (Figure 3, column 9, lines 40-45 and column 12, lines 40-42). Rubin discloses receiving a pointer device click message indicating that a predetermined pointer button was activated, wherein the pointer click message includes a coordinate identifying the cursor location on the display (Figure 3, column 9, lines 40-45 and column 12, lines 40-42). Rubin does not disclose explicitly stating that a predetermined key of the user input device is depressed. Microsoft Computer Dictionary discloses in order to select items on the display, the user depresses a predetermined key of the input device (See definition of mouse on page 348). The Examiner takes Official Notice, wherein the feature of selecting an item, wherein the user presses a predetermined key of a user input device is well known in the field of the art. It would have been obvious for one skilled in the art at the time of the invention to teach that an item can be selected on a screen by the user depressing a predetermined key of the input device. Rubin teaches that the user input device is used to determine placement of a cursor on the display and selection of items on the display using the input device. The clear and well known definition of a mouse distinctly points out that the selection is



carried out by a mouse by the user pressing a predetermined key on the input device. Hence, it would have been obvious to learn from a well know and common teaching that selecting an item with an input device is done by the user pressing a predetermined key of a user input device.

### ***Response to Arguments***

6. Applicant's arguments filed 9/26/05 have been fully considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. Responses to this action should be submitted as per the options cited below: The United States Patent and Trademark Office requires most patent related correspondence to be: a) faxed to the Central Fax number (571-273-8300) b) hand carried or delivered to the Customer Service Window (located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), c) mailed to the mailing address set forth in 37 CFR 1.1 (e.g., P.O. Box 1450, Alexandria, VA 22313-1450), or d) transmitted to the Office using the Office's Electronic Filing System.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a


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possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
December 7, 2005



**RAYMOND J. BAYERL  
PRIMARY EXAMINER  
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